

**MAINE EMS  
INVESTIGATIONS COMMITTEE MEETING  
WEDNESDAY, APRIL 2, 2003  
MAINE EMS CONFERENCE ROOM, AUGUSTA**

**MEETING MINUTES**

**Present:** R. Doughty, P. Knowlton, A. Azzara, S. Leach, C. Pillsbury

**Staff:** D. White, D. Kinney,

**Legal Counsel:** L. Yustak Smith

**1. Call To Order:** The meeting was called to order at 09:45 a.m.

**A. Additions/Deletions to the Agenda** – Review for Investigation – Case #03-05

**2. Investigations – Executive Session**

**A. Informal Conference** – Case 02-03

The Committee voted to enter executive session for the purpose of holding an informal conference with the subject of case 02-03.

***Motion to enter executive session (Doughty; Knowlton –motion carries)***

The Committee entered executive session at 9:50 a.m. for the purpose of discussing investigations and exited executive session at 10:38 a.m.

***Motion:*** That the Committee finds that the subject of investigation 02-03(the “Licensee”) is in violation of §11.A.5 – Acting in ways which are dangerous or injurious to the public – based upon the subject being charged with Assault in a Maine Court; that the conduct is mitigated because it did not occur in the course of Licensee’s duties as an EMT, the alleged victim was not physically injured and the Licensee is willing to engage in counseling; that Maine EMS enter into a Consent Agreement with Licensee that requires Licensee to obtain an appointment for anger management counseling within 30 days of the execution of the consent agreement, Licensee will attend counseling at least monthly for one (1) year or until the counselor provides documentation that Licensee has satisfactorily addressed the issued underlying Licensee’s need for anger management counseling, whichever is

*sooner, Licensee will provide the Board with documentation on a quarterly basis of attendance at anger management counseling, Licensee will provide the Board with documentation of previous attempts to schedule anger management counseling; that Licensee comply with all conditions imposed by the Maine Criminal Justice System; and that Licensee agrees to surrender Licensee's Maine EMS License if charges are brought in any state or Federal court (Doughty; Knowlton – motion carries).*

The Committee then voted to enter executive session for the purpose of discussing investigations.

***Motion to enter executive session (Leach; Azzara – motion carries)***

The Committee entered executive session at 11:59 a.m. for the purpose of discussing investigations and exited executive session at 12:03 p.m.

**B. Update for Action – Case 01-14**

The committee directed that an informal conference be scheduled concerning case 01-14.

**C. Review for Action – Criminal Conviction Information.**

**1. Case 3-05 - Non-criminal conduct – Protection from Abuse Order**

*Motion: That inre: case 03-05, the Licensee receive a letter of guidance and that no further action be taken (Azzara; Knowlton – motion withdrawn)*

The Committee discussed the licensee's conduct at length and reviewed the complainant's letter to the Maine court that led to the order being issued.

*Motion: To initiate an investigation of the subject inre: case # 03-05 (Doughty; Knowlton – motion carries).*

**2. Case 3-06 – Conviction for Assault, Class D.**

*Motion: To initiate an investigation of the subject inre: case # 03-06 (Doughty; Knowlton – motion carries).*

**3. Applications**

**A. Jason Sanford – Informal Review 11:00 a.m.**

Members Doughty and Knowlton recused themselves from any involvement in this case as Mr. Sanford is a co-worker with them at Capital Ambulance Service in Bangor.

Upon review by Laura Yustak Smith, AAG for Maine EMS, it was determined that, from a procedural standpoint, Mr. Sanford's conviction must be addressed in the context of an investigation vs. a non disciplinary licensing process. This is because Mr. Sanford is applying for the renewal of his license.

*Motion: To initiate an investigation of the subject of case #03-07 (Pillsbury; Azzara – motion carries*

Mr. Sanford, who was present to attend the scheduled informal review, was informed of the procedural change and agreed to waive notice, time and response requirements so that an informal conference could be conducted immediately inre: case 03-07.

*Motion: To enter executive session for the purpose of conducting an informal conference regarding case #03-07 (Pillsbury; Azzara – motion carries)*

The committee entered executive session at 11:31 a.m. and exited at 11:53 a.m.

*Motion: That, in case #03-07, the committee finds no violation of Maine EMS Rules and directs that the Licensee's license be renewed and that the case be dismissed (Pillsbury; Azzara – motion carries).*

B. Todd Fortier – Tabled pending staff action

C. John Maguire Jr.

Kinney provided additional information from inquiries she had made in Mr. Maguire's hometown that included members of the town's fire and EMS departments.

*Motion: That Maine EMS enter into a 3 year Consent Agreement with John Maguire (the "Licensee") issuing Licensee a license with the stipulation that Licensee will surrender his Maine EMS Maine EMS License if charges are brought in any state or Federal court. (Doughty; Azzara – motion carries 4 – 1 – 0, Pillsbury opposing).*

The committee also directed that a letter of guidance be issued to Mr. Maguire outlining the committee's concerns and expectations.

D. Nathan Robinson

The committee reviewed Robinson's request for determination of eligibility for EMS licensure in light of his 1998 conviction for Assault, Class D.

*Motion: That the Committee finds that Nathan Robinson's 1998 conviction for Assault, Class D constitutes a violation of §11.A.5 – Acting in ways which are dangerous or injurious to the public; that Mr. Robinson's conviction is mitigated in that he has had no other convictions since that time and that circumstances of the conduct satisfy the committee that the conduct that led to Mr. Robinson's conviction was an isolated event without likelihood of recurrence; and that Mr. Robinson be notified that he is eligible for Maine EMS licensure. (Pillsbury; Doughty - motion carries).*

#### **4. Next Meeting**

The next meeting will be scheduled after the next MEMS Board meeting

#### **5. Adjourn** – The meeting was adjourned at 1:15 p.m.

Respectfully submitted,

Drexell White, Licensing Agent